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ABSTRACT

Summarized are approximately 120 bills passed by state legislatures in 1972 pertaining to the education of handicapped children. The summaries are intended to provide general information concerning recent legislation by states and territories. Summaries usually include bill number and a resume of the bill's provisions. Examples of bills include the requirement that local boards of education provide 12 years of special services (Alabama), permission for parents of a handicapped child to be represented in the admission committee (California), the amendment of compulsory school attendance laws (New Mexico), and the establishment of licensing procedures for facilities treating the mentally retarded and mentally ill (Rhode Island). A source of more specific information is given. (DB)

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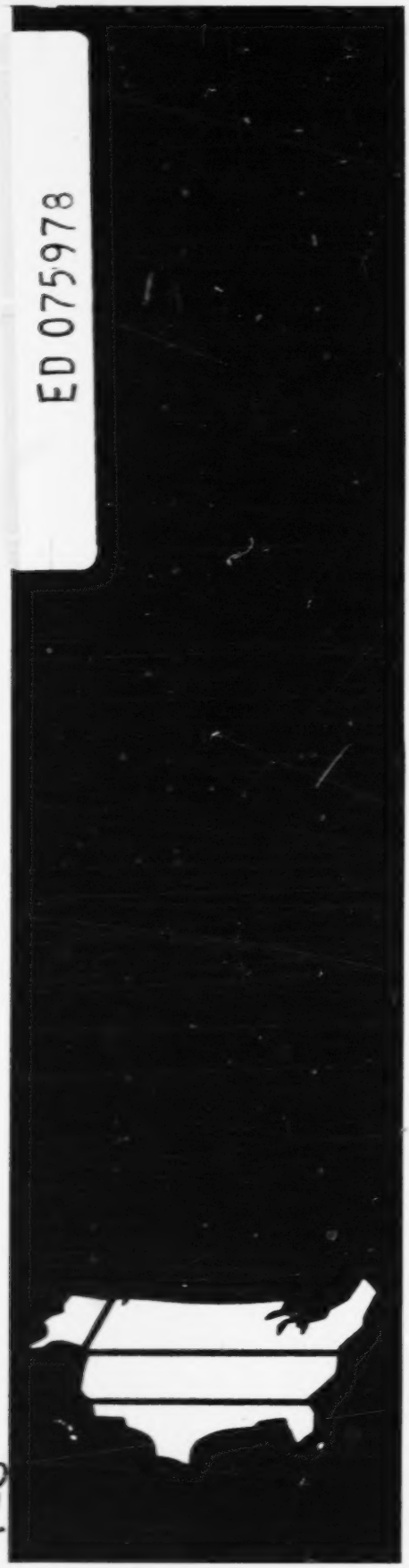
A SUMMARY OF MAJOR STATE LEGISLATION PASSED IN 1972 RELATING TO THE EDUCATION OF HANDICAPPED CHILDREN



A report of
THE EDUCATION COMMISSION
OF THE STATES

March 1973

Report No. 35
(Preliminary Issue)

Prepared by
HACHE
Handicapped Children's Education Project

A project of the Education Commission of the States

EC 051 956

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FOREWARD

One of the functions of the Handicapped Children's Education Program of the Education Commission of the States is to act as a dissemination and referral center for information requests from legislators, educators, and others who are interested in the education of handicapped children. The Handicapped Children's Education Program has had many requests for current information concerning legislative activities in each state. The summaries of bills described herein are intended to provide the reader with general information concerning legislation recently passed in each state or territory. If more specific information is desired concerning recent legislation in any state, please contact the Handicapped Children's Education Program/Education Commission of the States.

The project presented or reported herein was performed pursuant to a Grant from the U.S. Office of Education, Department of Health, Education, and Welfare. However, the opinions expressed herein do not necessarily reflect the position or policy of the U.S. Office of Education, and no official endorsement by the U.S. Office of Education should be inferred. This project is supported by the Bureau of Education for the Handicapped. Grant Number OEG-0-72-0242(607).

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ALABAMA

Act #106, S.B. 13

Alabama Exceptional Child Education Act (1971) relating to mandatory education for exceptional children, including but not limited to the mentally retarded, the speech impaired, the deaf and hearing impaired, the blind and vision impaired, the crippled and otherwise physically handicapped, the emotionally conflicted, the socially maladjusted, those with special learning disabilities, the multiply handicapped, and the intellectually gifted; providing that each county, municipal or other board of education in the State of Alabama and the school district associated therewith shall provide not less than twelve years of appropriate instruction and related special services for such exceptional children at public expense beginning with those six years of age; providing for the respective roles of the State Board of Education and the local boards of education in implementation; providing for the judicial enforceability of implementation plans through suits and actions authorized to be brought; providing for the adoption of regulations; to provide for long-range implementation plans and the periodic review by the State Board of Education; providing for classification and placement of exceptional children in school programs and classes.

ALASKA

SCSHB 249 (Chapter 19)
Incorporates into Alaska statutes the so-called "uniform white cane law." The effect is to repeal scattered statutes on subject of visually handicapped and disabled and place everything in Title 18. There is some expansion of existing rights of visually handicapped and disabled such as establishing a state policy of equal rights and removal of architectural barriers.

HB 767 (Chapter 48)
Expressly includes University of Alaska among state and local agencies that must adhere to Department of Public Works regulations governing construction of public buildings that insure that these public buildings and facilities are accessible to, and usable by, physically handicapped persons.

CS SSHB 706 (Chapter 76)
Appropriates $365,000 to the Department of Education, division of instructional services, for centralized services for the profoundly deaf.

ARIZONA

S.B. 1078

Amending sections 15-448, 15-1011 and 15-1017, Arizona Revised Statutes, and repealing section 15-1213, Arizona Revised Statutes. "Eliminating authority of Arizona School for the Deaf and Blind for local school district programs; defining vision handicapped and hearing handicapped; providing for standards for programs for hearing handicapped and visually handicapped; including specific learning disabilities children in state and county funding for special education."

S.B. 1199

Repealing sections 15-1001 and 15-1002, Arizona Revised Statutes, and amending Title 15, Chapter 10, Article 1, Arizona Revised Statutes, by adding a new section 15-1001. "Requiring the Department of Education to prescribe a program of an annually request funding for education for crippled children."

S.B. 1256 (Chapter 106)

Amends Title 15, Chapter 8, Article 3, ARS, by adding sections 15-839 and making an appropriation ($90,000). Established a residential educational facility for emotionally disturbed children who are either hearing impaired or visually impaired.

CALIFORNIA

SB 10 (Chapter 18)
Postpones to May 1, 1973, the effect of changing the age of majority to 18 on school apportionments and community college non-resident tuition; includes in definitions of MR, EH and PH children persons up to 21 years of age; provides eligibility for School for Deaf or School for Neurologically Handicapped extends to 21 years.

SB 90 (Chapter 1406)
$1.2 billion school finance-tax reform measure; provides $561 million total new school support for 1973-74 which includes $82 million for the educationally disadvantages and $25 million for early childhood education.

SB 98 (Chapter 427)
Brings development centers for handicapped children within provisions of the State School Building Aid Law.

SB 143 (Chapter 123)
Provides alternative ways of qualifying, timewise, a program for mentally gifted pupils for one semester of student participation.

SB 158 (Chapter 1120)
Deletes authorization for pupil personnel worker authorized to serve as a school psychologist to perform certain examinations of educationally handicapped and mentally retarded persons.

SB 171 (Chapter 702)
Continues to June 30, 1974, rather than 1972, supplemental allowances for the return of MR and SMR minors to regular classrooms.

SB 206 (Chapter 1063)
Eliminates connection with California School for the Blind from provision for visiting teachers to blind preschool children; appropriates $102,000 to Department of Education for employment of six visiting teachers and one supervisor in 1972-73.

SB 226 (Chapter 1093)
Relocates provisions regarding development centers for handicapped minors in the Education Code section relating to special programs; renames "handicapped minors" as "handicapped pupils" and makes changes in age of majority to 18 not applicable to development center provisions.

SB 364 (Chapter 994)
Increases in four annual steps beginning in 1972-73 the mentally gifted program apportionment from the present $60 to $100 per child in a program for a full year; a half apportionment is provided for one semester participation; increases allowance for identification from $40 to $50.

SB 416 (Chapter 768)
Adds to county school service funds not to be considered in the annual elimination of surpluses (1) unexpended district contract funds which must be repaid, and (2) unexpended educationally handicapped program funds from state and local sources.

SB 656 (Chapter 1375)
Makes various changes related to the change in the age of majority from 21 to 18 accomplished in 1971; prohibits Community Colleges from starting MR programs after May 1, 1973, except for programs planned before July 1, 1972, or programs that are not state funded.

SB 670 (Chapter 382)
Permits parent or guardian of pupil being evaluated for MR or any category of physically handicapped program to be represented in the admission committee.

SB 805 (Chapter 458)
Allows in lieu of payments to county school service funds for MR and SMR programs, an increase in special taxes for such programs to cover the amount.

SB 1224 (Chapter 654)
Encourages county superintendents to sponsor teacher workshops to gain or increase understanding of nature and range of physical, mental and emotional disabilities of children and youth, and major implications of such disabilities.

AB 99 (Chapter 670)
Consolidates responsibility for various social and educational programs for children under the Department of Education's jurisdiction; authorizes a district tax for certain child development services; creates an Office of Education Liaison (OEL) in the Health and Welfare Agency and staffs it; appropriates $3 million to the Health and Welfare Agency for child development program, $100,000 for planning, development and coordination of child development activities and OEL support.

AB 210 (Chapter 1342)
Sets up a pilot for the deaf or severely hard of hearing children at least six months of age.

AB 300 (Chapter 1373)
Clarifies that persons to 21 years of age are eligible for specified special education programs rather than "minors" only.

AB 437 (Chapter 798)
Requires psychological examination to determine a child's eligibility for MR programs to be given in the child's primary home language by a psychologist fluent in that tongue or with the aid of an interpreter.

AB 665 (Chapter 930)
Revises statewide testing program to (1) require entry-level testing, (2) require school-by-school score reporting for entry level, grades 2 and 3, and grades 6 and 12, (3) prohibits use of entry level test scores for diagnosis or placement and prohibits inclusion in cumulative files, (4) eliminates mandatory statewide IQ testing; (5) require State Board to develop method of obtaining an accurate estimate of statewide, district and school performance in grades 2, 3, 6 and 12; (6) requires State Board to prepare examples, rather than models, of minimum academic standards for high school graduation, (7) deletes provisions for scholastic aptitude tests in grades 6 and 12.

AB 1246 (Chapter 1123)
Revises provisions relating to the education of handicapped students in Community Colleges.

AB 1468 (Chapter 1078)
Requires parents to be notified at the beginning of the term of their rights to exclude their children from certain classes and activities.

AB 2063 (Chapter 1182)
Authorizes exemption of portable classrooms not used by physically handicapped from requirements regarding access by handicapped persons.

COLORADO

H.B. 1128

Included appropriations for educationally handicapped, an increase from $6.75 million to $11.7 million in 1973.

H.B. 1060

Amends effective date of mandatory legislation from July 1, 1974 to July 1, 1976. Also provides provisions for year-round schooling for the handicapped and calls for a study of handicapped children's educational program. $186,600 was appropriated for the state department of education to employ current educational technology to determine the educational needs of Colorado children who have learning disabilities.

CONNECTICUT

H.B. 5478 (Public Act #167)
An Act establishing an Advisory Council for special education which shall advise the state board of education and the secretary thereof.
H.B. 5505
An Act concerning the establishment of a state plan for special education. The state board of education, utilizing present personnel only, shall make and keep current a five-year plan for the implementation of special education policy set forth in sections 10-76a to 10-76h, inclusive, and other pertinent sections of the 1971 supplement to the general statutes.

FLORIDA

S.B. 300

Chapter 72-212 permits the Department of Education to waive educational requirements for applicants who were certified in and actively teaching speech pathology and audiology on July 9, 1969, and provides that previously laryngectomized persons may teach such subject under certain conditions.

S.B. 692

Chapter 72-319 authorizes the Division of Elementary and Secondary Education to establish an instructional materials coordinating unit and resource center for visually handicapped children and youth, and appropriates $112,000 for implementation.

Committee Substitute for H.B. 2987

Chapter 72-285 creates the Office of Early Childhood Development in the Office of the Governor to promote, plan, coordinate and administer a program of early childhood training to meet educational, social, health, and psychological needs. $43,127 was appropriated to the Early Childhood Development Office to carry out the purposes of this Act, and positions and funds may be transferred to the Early Childhood Development Office from certain other agencies.

GEORGIA

S.B. 347

Mandatory Community Services Act for the Mentally Retarded. Includes $2.6 million to be matched against over $9 million federal dollars. This legislation accomplishes the goal of reduc ing the population of Georgia's institutions by one-third. In 1974, a reassessment of residential and community services is planned for evaluation purposes. Full implementation is expected to take place by 1978.

S.B. 676 (Number 1234)

Early Childhood Development Act. The purpose of this Act is to provide for a sound program of early childhood development. This Act provides for the development of a state plan for these purposes which local school system boards of education and other agencies of the state cooperate to plan and implement early childhood development programs, including but not limited to programs to meet the recognized needs of children whose parents voluntarily seek testing, diagnosis, and treatment of physical or mental handicaps of children from 1-3 years of age; educational programs for children 5 years of age and for children 3-5 years of age who have physical or mental handicaps.

IDAHO

H.B. 431

Amending section 33-2004, Idaho Code, relating to the education of exceptional children, to require the trustee of a school district whose exceptional children are transferred to another school district or any private or public rehabilitation center, hospital, or corporation, approved by the State Board of Education, to pay to that institution, corporation or district to educate such student tuition as herein provided.

H.B. 612

Special educational services may be rendered by any school district or school districts for enrolled exceptional children, through the employment of full-time or part-time ancillary personnel in accordance with the regulations and standards prescribed by the State Board of Education.

H.B 664

Amending section 33-1001, Idaho Code, relating to definitions used in the Foundation Program Act by revising definitions of the average daily attendance, the average dail attendance of the district's handicapped children, by defining a homebound student and providing for his attendance.

H.B. 676

Amending Chapter 4, Title 39, Idaho Code, by the addition thereto of a new section 39-427, Idaho Code, providing for the reporting of children suspected of having severe auditory and/or visual impairment by licensed physicians to the State Department of Public Health.

H.B. 754

Amending section 33-2001, Idaho Code, relating to the responsibility of school districts for education of exceptional children, by providing that each public school district shall provide for the education and training of exceptional pupils, by providing that special instruction need not be within the various school districts of the state.

S.J.R. 124

Proposing an amendment to section 9, Article IX of the Idaho Constitution, relating to compulsory attendance at schools, by providing that the legislature may require by law that every child shall attend a public school of the state unless educated by other means as provided by law; the question was submitted to the electorate. This Senate Joint Resolution was passed during the General Election of November 1972.

ILLINOIS

H.B. 69

Amends the School Code. Comprehensive program for special education for handicapped children.

H.B. 322

Amends the School Code. Allows children between the ages of 3 and 21 with specific learning disabilities in reading, writing, speech, and math due to perceptual handicaps, brain injury, and other defects to qualify for special education provided by school boards.

H.B. 323

Amends sections 14-1.03, 14-1.04, 14-1.05 and 14-1.06 of the School Code. Approved March 18, 1961 as amended. Changes from five years to three years the minimum age of children who may qualify as maladjusted, educable mentally handicapped, trainable mentally handicapped and speech defective children, for special education purposes.

H.B. 4156

Amends section 14-7.02 of the School Code. Approved March 18, 1961 as amended. Makes mandatory the payment by a school district of tuition or $2,000 per school year (not including summer session), whichever is less, plus transportation, for the education of each child who resides in that district and because of a handicap attends a non-public school or special education facility.

H.B. 4322

Amends section 3-15.14 of the School Code. Approved March 18, 1961 as amended. Provides that regional (now county) superintendents may administer and direct cooperative or joint educational programs in two or more school districts even though such regional superintendent may not have jurisdiction and control over the particular districts involved.

H.B. 4328

Amends sections 14-13.01 and 14A-5 of the School Code. Approved March 18, 1961 as amended. Provides that where school districts are reimbursed by the State for special education and approved programs for gifted children, and where the school districts elect to operate a full year program under Section 10-19.1, such reimbursement shall be increased by 1/185 of the amount paid for each day school is operated in excess of 185 days per calendar year.

H.B. 4337

To add section 21-2.1 to and to amend section 21-2 to the School Code. Approved March 18, 1961 as amended. Provides for an early childhood certificate to be issued to teachers for the teaching of children up to six years of age. Establishes education requirements for eligibility to receive such certificate.

H.B. 4366

To add section 14-7.02a to the School Code. Approved March 18, 1961 as amended. Provides for State reimbursement of school districts for costs of extraordinary special education services for handicapped children in excess of $600 up to $2000 per child. Defines requirements for receiving such reimbursement.

H.B. 4420

To add section 30-15.7d to the School Code. Approved March 18, 1961 as amended. Authorizes the State Scholarship Commission to award grants to teachers for enrollment in special education programs.

H.B. 4523

Amends sections 10-22.31 and 10-22.31a of the School Code. Approved March 18, 1961 as amended. Provides that school districts entering into joint agreements for special educational facilities and otherwise may withdraw by presenting petition to the county board of school trustees of all counties having jurisdiction over one or more of such districts in the joint agreement. Provides for a governing board composed of one representative of each district.

KANSAS

H.B. 2075

Amends K.S.A. 1971 Supp. 74-6301, 74-6302, [illegible]-6304 and repealing the existing sections. An Act relating to the coordinating council for handicapped children, providing for the appointment of the chairman, and calling of meetings.

H.B. 2097

Authorizes any school district board of education to enter into a supplemental employment contract with any employee of the district. Supplemental contracts may be for such items as coaching, supervising, directing and assisting in extra-curricular activities, chaperoning, ticket-taking, lunch room supervision and similar activities. Excluded from coverage under supplemental contract are services covered by the primary contract of the employee.

H.B. 2099

Repeals K.S.A. 1971 Supp. 72-5360a, a law which fixed three years of age for persons in special education programs as the minimum age for participation in any such program in order for it to qualify for state reimbursement as a program for exceptional children.

S.B. 482

Amends K.S.A. 1971 Supp. 72-5344 and 72-5345a relating to special education. The bill permits school districts to levy not to exceed 1.5 mills to maintain and operate or cooperate in the maintenance and operation of special education classes or programs. The previous law permitted a levy of 1 mill, subject to the approval of the State Board of Tax Appeals. The definition of the term "developmentally disabled children" was changed to grant the Director of the Division of Special Education to the State Department of Education, subject to the rules and regulations of the State Board of Education, authority to determine what children (persons under 21 years of age) would be best served in a special class. The bill was vetoed, but the veto was overridden.

S.B. 486

Removes from the definition of "operating expenses" of a school district (K.S.A. 1971 Supp. 79-4415) amounts paid by the state to a district which are expended for special education programs conducted in an institution under the jurisdiction of the Division of Institutional Management State Board of Social Welfare.

S.B. 600

Amends K.S.A. 1971 Supp. 72-5345 relating to special education. In complying with the legislative mandate concerning special education courses or programs, a school district board of education is permitted to contract with any appropriate accredited private nonsectarian nonprofit corporation (inside or outside of Kansas) for such students - if there are no public schools in the state with the necessary facilities which will accept the student. Prior to agreement on any such contract, the curriculum provided by such school and the proposed contract must be approved by the State Board of Education. The school district may agree to pay for students under such a contract at a rate of not more than three times the preceding year's per pupil operating cost of the school district Any student being educated in a program operated by a private non-sectarian nonprofit corporation is to be considered a pupil of the contracting school district for purposes of state and county aid or other financial assistance available to the school district.

KENTUCKY

S.B. 36

A new section of KRS Chapter 157 is created to read as follows: The State Board of Education shall create a Bureau of Education for Exceptional Children in the State Department of Education, separate from any other existing Bureau, to supervise, and direct a State program for Exceptional Children of this Commonwealth, and shall establish appropriate Divisions within the Bureau of Education for Exceptional Children.

S.B. 39

Amends Section 1 KRS 157.200 and creates a new section of KRS 157.200 to 157.305. Relates to one of the broad goals of the state task force on exceptional children. This goal of improving the quality and quantity of related services to exceptional children permits local boards of education to contract to provide related services to exceptional children and their families when the desired services are not available through a public or private agency.

S.B. 103

KRS 157.360 is amended to read as follows: In determining the cost of the foundation program for each district, the superintendent of public instruction shall allot to each district classroom units for elementary and secondary schools, classroom units for vocational education, classroom units for special instructional services for exceptional children, classroom units for superintendents, principals and their certified assistants and special instructional personnel, classroom units for supervisory of instruction, and classroom units for directors of pupil personnel; provided, however, that the number of classroom units allotted any district shall not exceed the number of teachers employed by the district.

S.B. 104

A new section of KRS Chapter 157 is created to read as follows: In alloting classroom units for special instructional services for exceptional children, one classroom unit shall be included for each teacher-consultant approved in accordance with the provisions of law and regularions of the State Board of Education.

MARYLAND

H.B. 438

Amends Section 116 of Article 77 to provide that educators in institutions under the control of the Department of Health and Mental Hygiene be paid salaries not less than those received by public school teachers of comparable qualifications in the political subdivision in which the institution is located, and to impose certain duties on the State Department of Education or the local superintendents of schools.

H.B. 730 (Chapter 301)

An Act to repeal and re-enact with amendments, sections 4(c) and 20 (g) (7) of Article 95A of the annotated code of Maryland, title "Unemployment Insurance Law," subtitles "Benefits and Definitions" to make unsighted or other severely handicapped employees of the Maryland Workshop for the Blind eligible for benefits under the Unemployment Insurance Law and generally relating thereto. Effective date July 1, 1972. Approved by the Governor on May 5, 1972.

H.B. 770

Adds new sections 791 to 808 to Article 43 to place the registration and regulation of persons providing audiological and speech pathology services under the Board of Examiners for Audiologists and Speech Pathologists in the Department of Health and Mental Hygiene and relating generally to the provision of audiological and speech pathology services.

H.B. 805 (Chapter 354)

An Act to add new sections of annotated code of Maryland, title "Governor - Executive and Administrative Department." To create the Maryland Service Corps to provide for its powers and duties, the Maryland Service Corps is created for the purpose of encouraging and developing a program of full and part-time public service (minimum of 15 hours per week) in meeting the critical human needs of indigent residents, the needs of children, the elderly and the mentally and physically disabled and in meeting such other needs as the Advisory Council of the program shall identify. Effective July 1, 1972. Approved by the Governor on May 26, 1972.

H.B. 996

Amends Section 16 of Article 77 to provide that no person otherwise possessing the qualifications of a teacher may be denied either certification or a job solely on the basis that that person is blind.

H.J.R. 101

Requesting the Governor to appoint a commission to study and recommend changes in the manner in which the State funds public education.

S.B. 50 (P.F. 12)

Adds new Section 3-607 to Article 66½ to provide that certain physically disabled persons may be granted special license plates with the official international wheelchair symbol designation or a reasonable facsimile indicating a disabled driver, and matters relating thereto.

S.B. 564 (Chapter 219)

An Act that adds new sections to the code of public local laws of Frederick County subtitled "Chapter 14. Schools and Education," to require the county commissioners of Frederick County and the Frederick County Board of Education to provide educational programs,

transportation facilities for retarded and handicapped children. Effective July 1, 1972. Approved by the Governor on May 5, 1972.

S.B. 603

Adds new sections to Article 77 to provide that the State Board of Education shall prepare and implement a compensatory education program for disadvantaged children.

S.B. 853

Amends Section 102 of Article 77 to include within the definition of "handicapped children" those children with varying degrees of hearing loss.

MASSACHUSETTS

H.B. 6184

An Act revising the laws relative to children who require special education and providing reimbursement for special education programs. The purpose of this Act is to provide for a flexible and uniform system of special education program opportunities for all children requiring special education; to provide a flexible and nondiscriminatory system for identifying and evaluating the individual needs of children requiring special education; requiring evaluation of the needs of the child and adequacy of the special education program before placement and periodic evaluation of the benefit of the program to the child and the nature of the child's needs thereafter; to prevent denials of equal educational opportunity on the basis of national origin, sex, economic states, race, religion, and physical or mental handicaps in the provision of differential education services.

MICHIGAN

Public Act #198 of 1971 (Enrolled H.B. 4475)
Amends sections 291a, 317a, 318a, 601, 613 and 732 of Act #269 of Public Act of 1965. Mandatory special education effective date July 1, 1972. This Act assures the right as well as opportunity for an appropriate education for all handicapped persons, age 0-25, in Michigan. A major requirement of Act #198 is that state and intermediate school districts plan for the delivery of special educational programs and services and that the Michigan Department of Education submit the final state plan for the delivery of special educational programs and services, including recommendations for funding to the legislature by March 1, 1973.

Public Act #199 (Enrolled S.B. 831)
Adds section 388.1008b (section 8b to Act #287 of Public Act of 1964, The State Board of Education Act). Acceptance of gifts and grants for the Michigan School for the Blind. Authorizes the State Board of Education to take key gifts or grants from any source, property, money, pledges, or promises to pay money for the exclusive use of the Michigan School for the Blind.

Public Act #120 (Enrolled S.B. 106)
Effective for the fiscal year ending June 30, 1972. Appropriates operating budget money for the Department of Education. Includes line item amounts for: grants for competitive scholarships; grants for state scholarships for special education trainees; grants to school districts for scholarships to special education teachers.

Public Act #7 (Enrolled S.B. 210)
Adds sections 340.317b to 340.317j (sections 317b to 317j of Act #269 of Public Act of 1955, The School Code); repealed sections 780b to 780j. Trainable mentally handicapped facilities, intermediate school districts. Authorizes and establishes procedures for an intermediate school district to operate programs for the trainable mentally handicapped subject to conditions and limitations established in these new provisions.

MISSISSIPPI

H.B. 303

Amends section 6248-02, Mississippi Code of 1942. Provides for sixty percent (60%) (increase of 10%) of a teacher unit for each teacher employed in a special education class as authorized by Chapter 283, Laws of 1952, being Section 6631-01, Mississippi Code of 1942.

S.B. 2131

An Act to provide for the construction of entrance ramps on public buildings and for related purposes: applicability of standards, grounds, buildings and facilities, and enforcement.

MISSOURI

H.B. 204

To repeal section 202.831, RSMo 1969, relating to the division of mental health and to enact in lieu thereof eight new sections relating to the same subject, with penalty provisions.

Concurrent Resolution #28

Calls for a joint committee of the Missouri General Assembly be created to compile a comprehensive study on the care, treatment, training and education, confinement and special physical, mental and disciplinary handicaps. The committee will also appoint advisors to carry out obligations.

H.B. 303

Establishes a coordinating commission for the handicapped and defining its membership, powers and duties, with an expiration date.

H.B. 1096

To repeal sections 178.640, 178.650, 178.660, 178.670, 178.700, 178.710, 178.720, 178.740, 178.760, and 178.765, RSMo 1969, relating to certain special school districts and to enact in lieu thereof ten new sections relating to the same subject. Permits a county or two or more counties to organize and operate a special school district for the education and training for all eligible physicall and mentally handicapped children and to provide vocational training under provisions of the law. This special district also may serve as the coordinating agency for library services, audio-visual services, group purchasing, data processing, and many other services.

MONTANA

H.B. 450

Amends sections 75-7806 and 75-7816, R.C.M., 1947. Extended age legislation to provide for the education of mentally retarded persons to age 25.

NEBRASKA

L.B. 690

Amends sections 43-604, 43-605, 43-606, 43-617, 43-620, 43-621, 43-625, and 43-626, Reissue Revised Statutes of Nebraska, 1943, sections 43-607, 43-616.01, 43-628, and 79-202.01, Revised Statutes Supplement, 1969, and section 43-611, Revised Statutes Supplement 1971, relating to children; to define orthopedically handicapped children; to change and clarify provisions for transportation of children in special education programs; to clarify terms relating to special education programs; to remove obsolete matter; and to repeal the original sections.

L.B. 1000

Amends sections 43-619, 79-1910, and 79-2009, Reissue Revised Statutes of Nebraska, 1943, and sections 43-613.01 and 43-614, Revised Statutes Supplement, 1969, relating to handicapped persons; to provide for costs of programs of education; to provide for disbursement of funds as prescribed; to provide for cash funds and reimbursement as prescribed; and to repeal the original sections.

NEW MEXICO

H.B. 38

Chapter 87, amending sections 77-6-15, 77-6-18.4 and 77-6-19.3 NMSA 1953 (being laws 1967, Chapter 16, Section 69, laws 1969, Chapter 180, Section 17, and laws 1971, Chapter 263, Section 11, as amended); repealing section 77-6-19.2 NMSA 1953 (being laws 1971, Chapter 263, Section 10); and enacting new sections 77-6-19.2 and 77-6-19.4 NMSA 1953. Provides for additional financial assistance to school districts and other public institutions for education and related services for exceptional children. Provides for flexibility in the distribution formula for determining special education reimbursement to local school districts. An additional $1.5 million was appropriated for the 1972-73 school year.

S.B. 14

Repeals sections 77-11-3, 77-11-3.1, and 77-11-3.2 NMSA 1953 (being laws 1969, Chapter 256, Section 1; laws 1967, Chapter 290, Section 1 and laws 1971, Chapter 109, Section 1, as amended); and enacting new sections 77-11-3 through 77-11-3.3 NMSA 1953. Mandates special education for exceptional children. Regulations and standards shall be developed and established by the State Board of Education; related to definitions; responsibilities of the State Board of Education, private schools.

S.B. 17

Amending the compulsory school attendance law section 77-10-2 NMSA (being laws 1967, Chapter 16, Section 170, as amended). Amends provisions in the compulsory school attendance law.

NEW YORK

Act #9036 (S.B. 8884)

Subdivision 3 of section 3241 of the education law, as amended by Chapter 263 of the laws of 1956, is hereby amended to read as follows: An Act to amend the education law in relating to maintenance of records of handicapped children. This Bill eliminates the statutory requirement that the Education Department maintain a register containing the names, ages, and addresses of all handicapped children within the state. School districts would still remain under an obligation to collect such information, but relieved of the administrative task of transmitting such information to the Department except upon request and in such form as the Commissioner may prescribe.

Act #9037 (Chapter 179, Education Law)

Subdivision 5 of section 4404 of the education law, as last amended by Chapter 768 of the laws of 1967, is hereby amended to read as follows: Includes provisions authorizing school boards to permit an adult attendant willing to serve without compensation, in addition to the operator on vehicles transporting handicapped children.

Chapter 656 of the Public Building Law

Relates to construction of architectural barriers for physically handicapped in the public buildings.

OHIO

H.B. 475

State subsidy for special education programs effective March 20, 1972. Provides for changes in the school foundation program. (1)A 22½ minimum charge off; places the calculation of special education, transportation, and vocational educational units below the charge off; provides new subsidies for the transportation of EMR students; eliminates a subsidy of $25 per pupil for pupils enrolled in county boards of mental retardation programs; increases the classroom allowance to $4,000 for vocational and special education units.

Substitute S.B. 405

Enacts section 3323.011 of the Revised Code to require school districts to offer special education programs only in accordance with a comprehensive plan adopted by the State Board of Education. Approval of state funds for the operation of programs and services provided shall be contingent upon a comprehensive plan for special education approved by the State Board of Education not later than July 1, 1973. The State Board of Education shall not approve a school district's plan unless the plan proposed meets educational needs of handicapped children in that school district and other school districts in the same general plan.

OKLAHOMA

H.B. 1070
Provides special education for partially sighted children.
(No appropriations)

SCR 92
Calls for state regents for higher education to encourage the development of teacher education programs in the field of learning disabilities and to make a report of the program developments to the 34th legislature.

RHODE ISLAND

S519A, Chapter 160
Establishes licensing procedures for facilities treating the mentally retarded and mentally ill by the Department of Mental Health, Retardation and Hospitals.

H2500, Chapter 95
Requires that the director of social and rehabilitative services be a member of the Governor's Council on Mental Health.

H2228A, Chapter 117
Provides that the State Department of Mental Health, Retardation and Hospitals may include educational programs for the mentally ill.

H5733A, Chapter 145
Provides for a state developmental disabilities planning and advisory council to consult with the Director of state department of mental health, retardation and hospitals and designates that said department is the sole agency for such programs.

SOUTH CAROLINA

Act #977

An Act to establish a mandatory program for education of handicapped children in the public schools. The purpose of this Act is to provide for the mandatory establishment of educational and training services and facilities for handicapped children in the public schools who cannot be trained adequately without special education facilities and services. This Act calls for an appropriate education for all handicapped children and youth enrolled in public schools or eligible for enrollment therein. Implementation of an intensive five-year plan to expand and improve existing programs for exceptional children in the public schools. Effective upon approval of the Governor (February 14, 1972)

H.B. 3440

Amends sections 21-295 and 21-295.3, Code of Laws of South Carolina, 1962. An Act to amend sections relating to definitions concerning handicapped children and state aid for such children, so as to further provide therefor.

SOUTH DAKOTA

S.B. 108

Amends SDCL 13-37 by adding a new section thereto relating to placement and education of an exceptional child. Places responsibility on the Board of Governors of the district to provide education for handicapped children within the district, cooperatively with another district, multiple districts, or pay actual tuition to another school district.

TENNESSEE

S.B. 1523, Public Chapter #716

An Act to provide for the establishment of a school for the hearing impaired children of West Tennessee. The State of Tennessee, acting through the State Board of Education, shall establish, maintain and operate a school in Madison County for the hearing impaired children of West Tennessee. There shall also be a branch school for the deaf located in Davidson County in connection with the Tennessee School for the Blind. (Became law without the Governor's signature)

H.B. 2053, Public Chapter #839

Repeals Tennessee Code Annotated, Sections 49-2901 and 49-2902. An Act for the general purpose of providing education for the handicapped. Provides for creation of a division for the education of the handicapped within the Department of Education, an advisory council for the education of the handicapped, a special education services association, requirements for the Commissioner of Education in making plans for the implementation of special education, and a requirement for a three-phase incremental program, a special education materials and training unit, including procedures for placing a child within a special education program; provisions for training of special education personnel, requirements for special education facilities, and provisions for financial aid; to provide for other necessary administrative procedures.

VERMONT

S.B. 98

Amends 16 V.S.A. sections 2942, 2944, 2945, 2948, 2951 and 2952 and repeals 16 V.S.A. section 2950 relating to special education. 1) Definitions of "handicapped child," "special education," and "essential early education;" 2) Advisory councils on special education; 3) State aid - for the payment of state aid, handicapped children shall be counted in the same manner as non-handicapped children. The Commissioner may award a school district, in addition to the state aid claim and insofar as the cost of special education exceeds the average per pupil cost of the district, a supplemental grant of 75% of the actual salaries and wages of special education personnel; 4) Cost of transportation; and 5) Report.

VIRGINIA

H.B. 30

Item 520 of this Act provides for an increase of $7,228,700 in state aid to localities for special education during the next biennium. This will provide state reimbursement to localities for 60% of the salary cost of special education teachers on the basis of the State Minimum Salary Scale; for reimbursement to localities for the employment of teachers of the homebound; school psychologists; psychological evaluations; hospital teachers; teacher aides, attendanta; therapists; transportation; tuition assistance for certain handicapped children, and vocational education of handicapped children under rules and regulations of the State Board of Education and in conformity with Virginia School Laws.

H.B. 47

This Act establishes a Council for the Deaf. This Council will concern itself with all matters affecting hearing impaired persons.

H.B. 770

Provides for the mandatory education of visually impaired children, ages 2-21. This program to be the responsibility of the Virginia Commission for the Visually Handicapped

H.B. 845

Revises standards of quality for public schools adopted by the State Board of Education. As approved, standards are required for personnel, instructional materials (including ETV), program, and systemwide planning and management. Objectives are included for two categories - performance for the state and for local school divisions, and planning and management for each school and for teachers. The bill directs the State Board of Education to adopt regulations to implement the objectives.

S.B. 143

Amends and re-enacts sections 22-9.1, 22-9.1:4 and 22-9.2:1, as amended. Further amends the Code of Virginia by adding sections numbered 22-9.1:0 through 22-9.1:06, relating to definitions and responsibilities of the Board of Education; duties of school divisions; and state institutions. Directs the State Board of Education to prepare and place in operation a special education program for the physically handicapped, emotionally disturbed, and mentally retarded persons between 2-21 years of age. In addition the State Board may prepare such a program for persons of other ages.

S.B. 144

Amends the Code by adding in Chapter 12 of Title 22 a section numbered 22-220.1 to require comprehensive physical examinations, as prescribed by the State Department of Health, of children before they enter any public kindergarten or elementary school.

S.B. 145

Amends and re-enacts 22-330.17, 22-330.18, as amended, 22-330.19, 22-330.21, and 22-330.33 of the Code of Virginia relating to the authority of the State Board of Education to license certain privately owned and operated trade, business, and correspondence schools in the State so as to require that schools for handicapped persons be licensed.

S.B. 152

Amends the Code by adding in Chapter 4, Title 23, a section to provide for teacher scholarships to be awarded by the State Board of Education for special education courses.

S.B. 311

Amends and re-enacts 22-9.3 of the Code of Virginia, to increase the membership of the Overall Advisory Council on the Needs of Handicapped Children from 14 to 18 members.

WEST VIRGINIA

S.B. 118

An Act to amend and reenact section 13, Article 5, Chapter 18, of the Code of West Virginia, 1931, as amended, relating to busing across county lines to establish educational programs for the handicapped.

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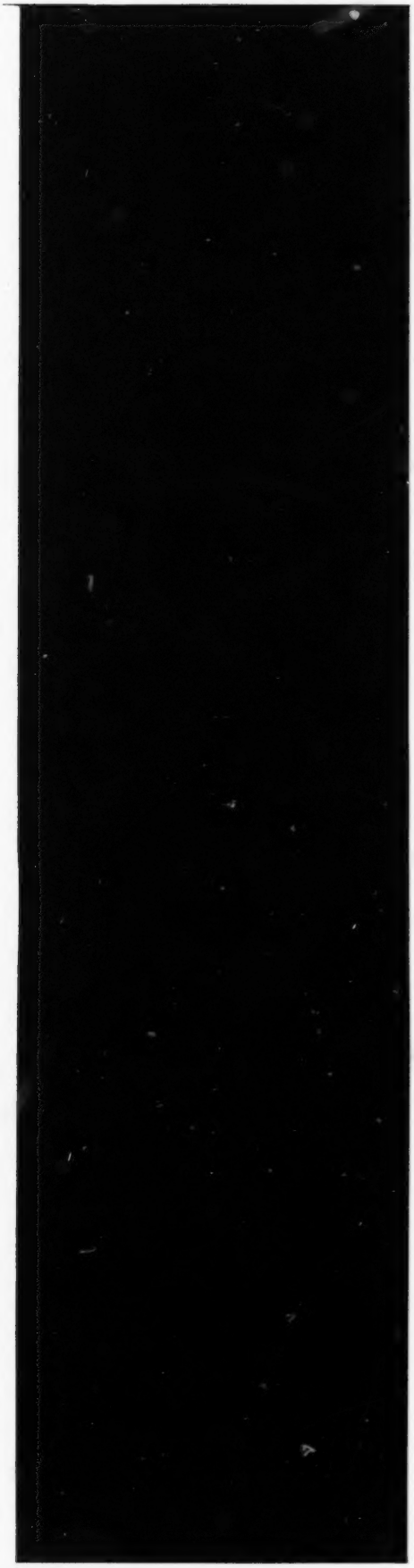

The Education Commission of the States is a non-profit organization formed by interstate compact in 1966. Forty-five states and territories are now members. Its goal is to further a working relationship among state governors, legislators and educators for the improvement of education. This report is an outcome of one of many Commission undertakings at all levels of education. The Commission offices are located at 300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203.